

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BLACKIE FLORINCEO ALVAREZ SR.,

Plaintiff,

v.

GRAY REDMAN, *et al.*,

Defendants.

Case No. 2:21-cv-01932-JDP (PC)

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO STATE A CLAIM

RESPONSE DUE WITHIN TWENTY-ONE  
DAYS


On May 10, 2022, I screened plaintiff's complaint, notified him that it failed to state a claim, and gave him thirty days to file an amended complaint. ECF No. 4. I subsequently granted plaintiff an extension, until July 17, 2022, to file his amended complaint. ECF No. 10. In response, plaintiff has filed objections, but has not filed an amended complaint.

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 Plaintiff will be given an opportunity to explain why the court should not dismiss his case  
2 for failure prosecute and failure to comply with a court order. Plaintiff's failure to respond to this  
3 order will constitute a failure to comply with a court order and will result in a recommendation  
4 that this action be dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one  
5 days why this case should not be dismissed for failure to prosecute and failure to state a claim.  
6 Should plaintiff wish to continue with this lawsuit, he must file, within twenty-one days, a first  
7 amended complaint.

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9 IT IS SO ORDERED.

10 Dated: August 22, 2022

  
11 JEREMY D. PETERSON  
12 UNITED STATES MAGISTRATE JUDGE  
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